

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6612

BILL NUMBER: HB 1104

NOTE PREPARED: Dec 19, 2005

BILL AMENDED:

SUBJECT: Loss of Office Due to Delinquent Child Support.

FIRST AUTHOR: Rep. Dvorak

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill requires a state or local government officeholder who is subject to a judgment of at least \$15,000 for delinquent child support to be removed from office.

Effective Date: July 1, 2006.

Explanation of State Expenditures:

Explanation of State Revenues: An information to remove a person from office is filed with the circuit court by a prosecuting attorney or by any other person on the person's own relation. A prosecuting attorney is not responsible for court costs, but a private person bringing the information is. The court may adjudge the costs against the defendant instead.

Revenue to the state General Fund may increase if court fees are collected. A civil filing fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: Local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would

be deposited in the county general fund and 25% would be deposited in the city or town general fund.

State Agencies Affected:

Local Agencies Affected: Trial courts, city and town courts.

Information Sources:

Fiscal Analyst: Karen Firestone, 317-234-2106.